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REMARKS**4-12. 35 U.S.C. § 103. Rejections.**

- 5 6. Claims 1-30 are rejected under 35 U.S.C. §103(a) as being anticipated [unpatentable] over Tedesco et al (U.S. Publication No. 2002/0062286)(Tedesco), in view of Walker et al (U.S. Patent No. 6,193,155) (Walker).

- 10 7a. In regard to Claims 1, 6, 9, 15, 16, 21, 24 and 30, the Office Action states that "Tedesco et al teach a method and apparatus for processing checks such that Applicant's certificate authority reads on the bank device (pre-paid bank certificate), element 12, figures 1 and 2, Applicant's certificate issuance module reads on element 14 where Applicant's issued certificate reads on the reserved check, Applicant's public key identifier reads on the identifier, Applicant's redemption denomination reads on the amount of funds reserved for the check, Applicant's private key reads on the reservation code, Applicant's certificate
15 authorization reads on element 16 wherein Applicant's authorization reads on the payee, element 16, providing to the bank, element 12, and account identifier, the redemption denomination (requested amount/amount of check); see paragraph [0060], starting at line 11, and the reservation code; see paragraph [0051], particularly the last sentence, and Applicant's means to cancel reads on the bank indicating that the check has been
20 paid/claimed, paragraph [0064]."

The Office Action concedes that "[a]lthough Tedesco mentions that goods are attained by using the pre-funded check [0067], but Tedesco is not specific on the relationship."

- 25 However, the Office Action also states that "Walk[er] clearly discloses the pre-funded certificate is used to pay for goods and/or services (See Walker column 5, lines 25-38 and column 9, lines 24-29). Therefore it is considered that it would have been obvious to one of ordinary skill in the art at the time of the invention, if not inherent to use the pre-paid bank certificate (check) of Tedesco, to allow the pre-paid certificate of Tedesco to be pay for
30 goods and/or services that is obtained, this would make the certificate more widely acceptable or by the virtue of connecting such certificate with a particular merchant more specific (See Walker column 1, lines 56-65 and column 2, lines 7-11)."

- 35 Applicant has amended independent Claim 1, to claim "a certificate system connectable to a client terminal and to a seller terminal across a network, comprising:

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a certificate authority connected to said network, said certificate authority adapted to allow the definition of a virtual certificate through said seller terminal across said network, said virtual certificate corresponding to a commodity having a value and a first public identifier, wherein said commodity corresponds to any of a product, a service, a coupon, and a reservation, said commodity selected by a seller at said seller terminal in communication with said certificate authority across said network, said seller associated with a redemption location, and wherein said first public identifier is defined by said certificate authority;

a certificate issuance module for creation of an issued certificate upon selectable acquisition of said virtual certificate by an acquirer user at said client terminal across said network, for receipt of external payment information sent by said acquirer user from said client terminal, and for transmission of information associated with said issued certificate to a holder, said holder comprising any of said acquirer user and an alternate recipient specified by said acquirer user, wherein said issued certificate comprises said redemption denomination and said first public identifier, said creation of said issued certificate associated with a private identifier which is assigned at time of said acquisition of said virtual certificate, wherein said private identifier does not appear on said issued certificate, and wherein said redemption denomination, said first public identifier, and said assigned private identifier are stored at said certificate authority in association with said issued certificate;

a certificate authentication module for authorization of an off-line redemption of said issued certificate at said redemption location to said holder of said issued certificate, said holder comprising any of said acquirer user and said alternate recipient of said issued certificate to whom said acquirer user has communicated said private identifier, said authorization based upon a communication from said redemption location to said certificate authority of said redemption denomination and said first public identifier from said issued certificate, a communication of said private identifier provided by said holder, and a matching comparison of said redemption denomination, said first public identifier, and said private identifier stored at said certificate authority; and

means to cancel further redemption of said issued certificate at said certificate authority."

As well, Applicant has amended independent Claim 16, to claim a "process within a transaction network connectable to a client terminal and to a seller terminal, comprising the steps of:

defining a virtual certificate on a certificate authority through said seller terminal across said network, said defined virtual certificate corresponding to a commodity having a value and a first public identifier, wherein said commodity corresponds to any of a product, a

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service, a coupon, and a reservation, said commodity selected by a seller at said seller terminal in communication with said certificate authority across said transaction network, said seller associated with a redemption location, and wherein said first public identifier is defined by said certificate authority;

- 5 creating an issued certificate upon acquisition of said virtual certificate by an acquirer user at said client terminal across said transaction network, upon receipt of external payment information sent by said acquirer user from said client terminal, and for transmission of information associated with said issued certificate to a holder, said holder comprising any of said acquirer user and an alternate recipient specified by said acquirer user, wherein said
- 10 issued certificate indicates said commodity selected by said seller and said first public identifier, said creation of said issued certificate associated with an establishment of a private identifier which does not appear on said issued certificate, said indicated commodity, said first public identifier, and said established private identifier stored at said certificate authority in association with said issued certificate;
- 15 authorizing an off-line redemption of said issued certificate at a redemption location to said holder of said issued certificate, said holder comprising any of said acquirer user and said alternate recipient of said issued certificate to whom said acquirer user has communicated said private identifier, wherein said authorization is based upon redemption submittal at said redemption location of said indicated commodity and said first public
- 20 identifier from said issued certificate, a communication of said private identifier provided by said holder, and a matching comparison of said indicated commodity, said first public identifier, and said private identifier stored at said certificate authority; and
- canceling further redemption of said issued certificate at said certificate authority."

- 25 Support is seen in the Application as filed, at least on page 7, lines 6-13; on page 9, lines 11-33; on page 10, line 3 to page 11, line 23; on page 12, line 5 to page 14, line 4; on page 17, line 1 to page 19, line 24; on page 20, line 8 to page 24, line 11; on page 25, lines 4-18; on page 28, line 29 to page 30, line 19; on page 34, lines 7-33; on page 41, lines 1-18; on page 42, line 19 to page 43, line 15; and in Figures 1, 3, 5-7, 9-11; and 14-
- 30 16.

An overview of the method and apparatus for processing checks to reserve funds, as described by Tedesco, is seen at least in the Abstract, wherein:

- 35 "A bank device communicates with an account holder device, such as a telephone or computer operated by the account holder. The bank device receives therefrom

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B) an acquirer buyer is not required to be a holder of an existing account within the system to pay for the acquisition of a certificate that is redeemable for commodity defined or selected by the seller; and

5 C) certificate information that is sent from the system to the acquirer includes an indicated commodity that is selectively determined by a seller.

Applicant also submits that the inventive structure of the present invention, as claimed in amended Claim 1 and Claim 16, as amended, provides significant advantages, which are
10 not disclosed or suggested in either Tedesco or Walker.

7b. Seller as an Active Participant in Certificate System. Applicant has disclosed and claimed structures wherein sellers are active participants in the marketing and sale of commodities, in which the sellers determine what commodities are available over a network,
15 and actively provide virtual certificates, which correspond to the selected commodities.

As seen in Claim 1 and Claim 16, a virtual certificate is defined through a seller terminal across the network, in which the virtual certificate corresponds to a commodity having a value, and wherein the commodity corresponds to any of a product, a service, a coupon,
20 and a reservation, in which the commodity is selected by a seller at the seller terminal in communication with a certificate authority across the network, wherein the seller is associated with a redemption location.

Support is seen in the Application as filed, at least on page 7, lines 6-10; on page 9, lines
25 11-21; on page 10, line 20 to page 11, line 23; on page 17, line 1 to page 19, line 24; on page 28, line 29 to page 30, line 19; on page 41, lines 1-18; on page 42, line 19 to page 43, line 15; and in Figures 1, 3, 5, 9-11; and 14-16.

Role of Check Recipient in Tedesco. Details regarding check recipients, *i.e.* payees, in
30 Tedesco are seen, at least in [0057] and Figure 1, wherein a payee device (16) transmits a request to verify a code that may indicate a reserved check".

In stark contrast to the present invention as claimed, Applicant submits that Tedesco is silent in regard to any active role by the intended recipient of a check, other than that of receipt and
35 authorization for a check. In Tedesco, the payee, *i.e.* recipient, of the check, is simply a passive recipient of a check, the guarantee of which is initiated by an account holder. There

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check data that includes an account identifier, a check identifier, and an amount of funds. The account identifier indicates a financial account and the check identifier indicates a check drawn on the financial account. The amount of funds represents an amount to reserve for payment with the check. The bank device in turn makes the amount of funds unavailable for use in the financial account so the account holder may not withdraw or otherwise remove the amount of funds. The bank device generates a code that indicates the check, and transmits the code to the account holder device. Subsequently, a payee, such as a merchant presented with the specified check, may verify that the check does indeed have an amount of funds reserved for payment therewith. The bank device receives the code from the payee, and determines the amount of funds that are reserved for payment with the check. An appropriate message that indicates the reserved amount of funds is transmitted to the payee."

- 15 An overview of the method and apparatus for issuing and managing gift certificates, as described by Walker, is seen at least in the Abstract, wherein:

"The present invention relates to a method and apparatus for issuing and redeeming a gift certificate drawn on a credit card or other financial account. The present invention includes a first aspect directed to a merchant card authorization terminal and a second aspect directed to a credit card issuer central controller. According to the first aspect, a method for redeeming a gift certificate drawn on a financial account is disclosed including the steps of receiving a gift certificate for payment of an identified value, transmitting a request for authorization to a central server, receiving an authorization signal, representing an indication that redemption of the gift certificate is authorized, from said central server and receiving a payment from the account issuer based on said identified value. A system is also disclosed for implementing the methods in all aspects of the present invention."

- 30 Applicant respectfully submits that there are significant differences between the present invention, as claimed in amended Claim 1 and Claim 16, and the cited art of Tedesco and/or Walker, wherein:

A) sellers are active participants in the promotion, marketing and sale of commodities over the disclosed and claimed network;

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is no establishment of selected commodities for sale over the network. A payee in Tedesco is not disclosed as having any prior knowledge of the system, nor is there any disclosure of a connection through the system to a pending sale, i.e. payment.

- 5 **Role of Certificate Recipient in Walker.** Details regarding the creator of a gift certificate in Walker are provided in Col. 5, lines 5-14, wherein:

"As illustrated by system 100, in the first embodiment of the present invention, a credit card issuer 102 produces a gift certificate associated with a credit card account.

- 10 According to the present invention, a gift certificate may be any instrument or token which represents financial value, including a traditional paper certificate, a stored value card, or a magnetic stripe card having an alias account number thereon. Credit card issuer 102 may be a bank or other entity having the sub-systems necessary to issue and maintain general purpose credit/debit accounts."

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Further details regarding the creator of a gift certificate in Walker are provided in Col. 7, lines 23-28, wherein:

- 20 "Each certificate record further includes maximum value field 514 for storing the maximum value of the certificate. Preferably, the contents of field 514 are defined by the credit card holder 104. In an alternate embodiment, credit card issuer 102 may define the contents of field 514."

- 25 In stark contrast to the present invention as claimed, Applicant submits that the creator of a gift certificate in Walker is the credit card issuer (102). Walker is silent in regard to any active role for the intended recipient of a gift certificate, other than that of receipt and authorization for a check. There is no disclosure of a selection of available commodities over the network by the recipient of a gift certificate.

- 30 **7c. Method of Payment Provided by Acquirer.** Applicant has disclosed and claimed structures wherein an acquirer user uploads payment information to the certificate authority. The acquirer user is not required to be an account holder.

- 35 As seen in Claim 1 and Claim 16, a certificate issuance module receives external payment information that is sent over the network by an acquirer user from a client terminal.

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Applicant submits that, while the embodiment described in [0047] of Tedesco allows an indication of a bank from a plurality of banks, there is no disclosure of the transmission of external payment sent by the user to the system during the establishment of a check guarantee. An "account holder" in Tedesco is inherently the holder of an existing account, wherein the account holder uploads an intended check number and amount drawn to an existing account, as a means to reserve funds that are already in the account. Tedesco is silent in regard to the sending of a payment by an acquirer for a certificate that is created by a seller.

In regard to Claims 3, 4, 18, and 19, the Examiner stated that "Applicant's payment agent reads on the financial account, paragraph [0047], from which the user wishes to use for payment of the check. See also/instead paragraph [0075] wherein a user credit card can be used to charge a fee for the reserved check.

Applicant submits that, while Tedesco describes that a user credit card can be used to charge a fee for code verification, there is no disclosure, express or implied, that Tedesco describes that an external payment can be used to fund the check itself.

Details regarding the reservation of funds in existing account is seen in Fig. 3, Fig.4, and Fig. 8, and in [0073] through [0075] of Tedesco, wherein:

"Referring again to FIGS. 3, 4 and 8, the process 800 (FIG. 8) is described with reference to exemplary data depicted in the table 300 (FIG. 3) and the table 400 (FIG. 4). The bank device 12 receives a code "1386511042792" from the account holder device 14. From the code, the bank device 12 identifies the record 404 of the reserved checks database 34. The record stores an indication of the first amount of funds, "\$95", and an account identifier "876123983". The bank device 12 also receives from the account holder device 14 an indication of a second amount of funds "\$110" and an authorization identifier "ABCD". The banking device 12 also determines from the entry 306 (FIG. 3) that the valid authorization identifier for account identifier "876123983" is "ABCD", so it is thus determined that the authorization identifier is valid.

The banking device 12 then determines that the second amount of funds "\$110" is greater than the first amount of funds "\$95", so the amount of the increase is "\$15"

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Support is seen in the Application as filed, at least on page 7, lines 11-13; on page 9, lines 32-33; on page 21, line 30 to page 22, line 4; on page 34, lines 7-33; and in Figures 6, 7, and 14.

- 5 **Reservation of Funds from Existing Account in Tedesco.** An overview of a financial account in Tedesco is seen at least in the Abstract and in [0019], wherein:

10 "The account identifier indicates a financial account and the check identifier indicates a check drawn on the financial account. The amount of funds represents an amount to reserve for payment with the check. The bank device in turn makes the amount of funds unavailable for use in the financial account so the account holder may not withdraw or otherwise remove the amount of funds."

Further details regarding financial accounts in Tedesco are seen in [0038], wherein:

15 "Each entry defines a financial account maintained by a bank. In particular, each entry includes (i) an account identifier 310 that uniquely identifies the financial account, (ii) a balance 312 of funds in the financial account, (iii) an available balance 314 of the financial account; (iv) an unavailable balance 316 of the financial account; and (v) an
20 authorization identifier 318 for verifying that inquiries and commands are initiated by authorized parties."

Applicant therefore submits that the bank device (12) clearly performs services for an existing account, wherein the bank device makes an amount of existing funds unavailable
25 for use in the financial account, so the account holder may not withdraw or otherwise remove the amount of funds.

A preferred embodiment in Tedesco provides financial links to other existing bank accounts, as seen at least in [0047], wherein:

30 "In one embodiment, the account holder may also transmit to the bank device 12 an indication of a bank. In such an embodiment, the bank device 12 is in communication with a plurality of banks, and could process checks for account holders of those banks. The bank device 12 would determine which bank was indicated by the
35 account holder, and perform the appropriate method steps for a financial account of that bank."

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(15=110-95). The banking device 12 also determines from the entry 306 (FIG. 3) that the available balance for account identifier "876123983" is "\$3". Since the amount of the increase "\$15" is greater than the available balance "\$3", the amount of the increase cannot be made unavailable for use in the financial account, and the request to change the amount of funds reserved is denied.

The bank may desire to charge payees and/or account holders for the information provided. Accordingly, the bank may charge for verifying a code, and require a credit card number to be entered as payment. The bank may alternatively charge by providing a shared-revenue line, such as a "900 number", to call. Further methods of charging payees will be understood by those skilled in the art."

Applicant therefore submits that, while Tedesco describes a "charge for verifying a code", in which a credit card number can be entered as payment", there is no disclosure that a credit card is used through the account device to fund a certificate. As seen in Figure 8, (e.g. see elements (806) and (814)), there is no disclosure of a prompt to receive external funds to pay for a check.

Reservations of Funds from Existing Accounts in Walker. Details regarding the relationship between a user and the system in Walker et al are provided in FIG. 4 and in Col. 6, lines 38-49, wherein:

"FIG. 4 illustrates the contents of credit card holder account table 400 in tabular format. Each record of account table 400 includes, but is not limited to, seven information elements representing information pertaining to a card holder account.

Account identifier field 410 stores a unique account identifier. Account identifier field 410 is assigned by the credit card issuer to uniquely identify an account of a card holder. In the present embodiment, the unique account identifier will be a standard 16 digit credit card account number, although more or fewer digits may be used."

Further details regarding existing financial accounts in Walker et al are provided in Col. 7, lines 12-17, wherein:

"It should be noted that the present invention is not limited to credit card accounts. The present invention will provide similar benefits and operate effectively in

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conjunction with other types of financial accounts, such as checking accounts and savings accounts linked to automated teller machine ("ATM") cards."

Applicant therefore submits that a financial account in Walker et al is an existing financial account, wherein a certificate can be drawn on the existing account. Tedesco is silent in regard to the sending of a external payment information by an acquirer, for the creation of an issued certificate that is based upon a virtual certificate that is created by a seller.

7d. Transmission of Certificate Information to Acquirer Includes Information Selected by a Seller. Applicant has disclosed and claimed structures, as seen in Claim 1 and Claim 16, as amended, wherein information associated with a selected, *i.e.* issued, certificate is transmitted to a holder, wherein the holder comprises either the acquirer or an alternate recipient specified by said acquirer user, wherein the transmitted information indicates a commodity that was selected, *i.e.* for availability through the system, by the seller.

Support is seen in the Application as filed, at least on page 7, lines 6-11; on page 9, lines 11-25; on page 10, line 3 to page 11, line 23; on page 12, line 5 to page 14, line 4; on page 17, line 1 to page 19, line 24; on page 20, line 8 to page 24, line 11; on page 25, lines 4-18; on page 28, line 29 to page 30, line 19; on page 41, lines 1-18; on page 42, line 19 to page 43, line 15; and in Figures 1, 3, 5, 9-11; and 14-16.

Transfer of Check Information in Tedesco. An overview of check information transfer in Tedesco is seen at least in the Abstract and in [0019], wherein:

"A bank device communicates with an account holder device, such as a telephone or computer operated by the account holder. The bank device receives therefrom check data that includes an account identifier, a check identifier, and an amount of funds."

Further details regarding the exchange of information between an account holder and a bank device (12) in Tedesco is seen in [0043], wherein:

"The bank device 12 (FIG. 1) receives check data from the account holder (step 502). The check data includes an account identifier, a check identifier, and an amount of finds. The account identifier indicates a financial account and the check identifier

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indicates a check drawn on the financial account. The check data may further indicate such information as an expiration date, a presentment period, a payee, and/or a bank maintaining the financial account."

- 5 Details regarding the transmission of a requested check amount, from an account holder to the bank device, in Tedesco is seen in [0060], wherein:

10 "the payee device 16 may transmit a requested amount (e.g. "\$20") to the bank device 12, and the bank device responds by transmitting a message indicating whether the requested amount is less than (or greater than) the amount of funds (e.g. "sufficient" or "yes")."

Applicant therefore submits that information is sent from the account holder to the bank device in Tedesco. As seen in Fig. 9, the account holder, i.e. the account holder, is not
15 limited to writing the check to match the "reserved" funds. Therefore, the bank device does not send or dictate what amount is actually used on the check.

Transfer of Certificate Information in Walker. An overview of a check information transfer in Walker is seen at least in the Col. 3, lines 38-40, wherein:

20 "The gift certificate, which is issued by an account issuer, includes thereon a certificate identifier corresponding to an account identifier. The account identifier identifies the financial account from which funds will be drawn to support the gift certificate transaction."

25 Further details regarding gift certificates in Walker are seen in Col. 8, line 53 to col. 9, line 9, wherein:

30 "Referring now to FIG. 8, there is depicted an exemplary gift certificate in accordance with the first embodiment of the present invention. Gift certificate 800 is a single-use financial instrument that may be negotiated by the bearer, as indicated by the example at reference numeral 810. Gift certificate 800 corresponds to record 502 of certificate table 500, and includes the name of the credit card holder 812, a maximum value 814, and an expiration date 816. Gift certificate 800 expires on Jan. 15, 1997 and is redeemable for merchandise worth up to the maximum value, in this case
35 \$50.00. Alternatively, gift certificate 800 may be redeemed for \$50.00 cash.

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Gift certificate 800 further includes a certificate identifier 818 and the name of the credit card issuer 820. The sixteen-digit certificate identifier 818 is, in fact, a corresponding alias account number. There is no way for a person to visually inspect gift certificate 800 to discern the account number belonging to credit card holder 812. The person would only see the certificate identifier (alias account number) and would not have access to the entire available credit line of the credit card holder. The name of the credit card issuer 820 is provided to indicate that the gift certificate is redeemable by any merchant who accepts credit cards from the designated issuer."

- 10 Applicant therefore submits that the described gift certificate embodiment in Walker is not specific to a seller, since the gift certificate is redeemable by any merchant who accepts credit cards from the designated issuer".

15 Further details of various embodiments of gift certificates in Walker are seen in Col. 10, line 48 to col. 11, line 12, wherein:

20 "System 1100 depicted in FIG. 11 is similar to system 100 depicted in FIG. 1. A significant difference between systems 100 and 1100 is that in system 1100, credit card holder 104 transmits a gift certificate request to credit card issuer 102 instead of simply receiving an unsolicited bearer certificate. The gift certificate request depicted in FIG. 11 includes the card holder account identifier and a maximum value. Of course, the credit card holder could optionally specify the recipient, the number of times the certificate may be used, the address of the recipient, or other information defining the characteristics of the gift certificate. In response, credit card issuer 102 produces a gift certificate associated with data received from credit card holder 104. As previously described with reference to system 100, credit card issuer 102 assigns a corresponding certificate identifier which may be used to identify the certificate and the associated credit card account. Credit card issuer then distributes a security code and the gift certificate, including the certificate identifier, to credit card holder 104, the party responsible for the account.

35 Credit card holder 104 then transfers the gift certificate, including the certificate identifier and an indication of the maximum value, to recipient 106. In addition, credit card holder 104 transmits the security code to recipient 106. Of course, the distribution of the gift certificate and security code could occur in other ways. For example, if credit card holder 104 provided credit card issuer with the address of the

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recipient, credit card issuer could distribute both the gift certificate and the security code directly to the recipient. Preferably, credit card issuer 102 would separate the gift certificate and security code and stagger the delivery of the two items to improve security."

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Applicant therefore submits that, even in gift certificate embodiments of Walker which include a name of a "recipient", there is no disclosure of certificate information that indicates a commodity that is selected, *i.e.* chosen to be available for sale, through the system, by the seller.

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7e. Analysis Conclusion. Applicant therefore submits that the disclosed and claimed structure, as claimed in Claim 1 and Claim 16, as amended, advantageously provides a versatile system by which an acquirer user is not required to have an existing account with the system in which certificates are available. The system is inherently a "middleman", between sellers who actively desire to sell commodities, and acquirer users, who desire commodities which are made available to the system by sellers.

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Applicant submits that Claim 1 and Claim 16, as amended, are significantly different than Tedesco and Walker, either alone or combined:

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A) In both Tedesco et al and Walker, a seller, *e.g.* a store, is not an active participant in the preparation of certificates which are associated with a commodity that the seller desires to sell or distribute;

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B) Tedesco does not disclose the transmission of certificate information down to buyer; the account holder transmits a check number and account number, and the system transmits the "code"; while Walker discloses the transmission of certificate information, there is no disclosure that the certificate information is selectively provided by the seller; and

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C) In both Tedesco et al and Walker, funds are locked or reserved from existing accounts; there is no disclosure, express or implied, that external payment information is provided, from an acquirer to the system. While an account holder may indicate existing funds to be reserved, there is no external payment.

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Therefore, Applicant respectfully submits that neither Tedesco et al nor Walker et al, alone or combined, disclose or suggest Claim 1 or Claim 16, as amended. As well, it would take significant modification and undue experimentation to meet Claim 1 and Claim 16, as amended.

5

As well, Applicant has disclosed and claimed structures which provide significant advantages, as seen in the Application as filed, at least on page 42, line 19 to page 43, line 8, wherein:

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"Retailers, such as small merchants or service providers, may easily establish means for selling their goods and services online, without the requirement of establishing an extensive online presence. Issuers may simply register their business with the certificate authority 12, and then may create virtual certificates 60 for one or more of their products and services. Virtual certificates 60 can be offered for acquisition at one or more network sites, such as an aggregated site 234 for a large variety of products and services within a selected region, or a more specialized site 234 that is related to specific types of products or services within their area.

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As well, even without a web site, an issuer/merchant can input other store information 251a,251b (such as business location information, logos, product descriptions), which is then displayed on a web page 248,252 appropriate to a virtual certificate 60, along with credit cards 52 which are acceptable to the issuer/merchant. When an acquirer ACQ navigates to a description 251 of a virtual certificate within a virtual site 248, such as by limiting a search to a specific product category within a specified zip code region, the issuer/merchant information 251 is preferably displayed, in conjunction with the virtual certificate 60, thereby creating a network presence for the issuer/merchant. As well, if an acquirer ACQ selects the certificate 60 (i.e. decides to acquire the certificate), the acquirer facility 28 typically displays an acquisition invoice module 252 that is specific to an issuer/merchant for the selected certificate 60, wherein selectable payment agent information (i.e. accepted credit cards) are limited to cards which the issuer accepts at the redemption location RL.

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Through the certificate system 10, acquirers are able to find goods and services that they might not have been able to find otherwise."

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Tedesco describes a system for guaranteeing a check, as seen at least in the Abstract; in [0002], [0018], and [0091]; while Walker describes a method and apparatus for more securely redeeming gift certificates associated with a credit card or other financial account.

5 However, neither Tedesco nor Walker describe structures and methods wherein:

A) sellers are active participants in the promotion, marketing and sale of commodities over the disclosed and claimed network;

10 B) an acquirer buyer is not required to be a holder of an existing account within the system to pay for the acquisition of a certificate that is redeemable for commodity defined or selected by the seller; and

15 C) Certificate information that is sent from the system to the acquirer includes an indicated commodity that is selectively determined by a seller.

Therefore, Applicant submits that Claim 1 and Claim 16, as amended, overcome the rejections under 35 U.S.C. §103(a) as being unpatentable over Tedesco et al (U.S. Patent No. 6,000,832) in view of Walker et al (U.S. Patent No. 6,193,155). As dependent claims 20 2-15 depend from amended independent Claim 1, and as dependent claims 17-30 depend from amended independent Claim 16, and inherently contain all the limitations of the claims they depend from, they are seen to be patentable as well.

25 8. Applicant has amended dependent Claims 3-5 and 18-20, to provide proper antecedent terminology for the claimed invention. Support is seen in the Application as filed, at least on page 7, lines 11-13; on page 9, lines 32-33; on page 21, line 30 to page 22, line 4; on page 34, lines 7-33; and in Figures 6, 7, and 14.

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CONCLUSION

Applicant therefore respectfully submits that Claims 1-30, as amended, overcome the rejections set forth in the Office Action. Applicant also submits that the amendments do not introduce new matter into the Application. Based on the foregoing, Applicant considers the invention to be in condition for allowance. Applicant earnestly solicits the Examiner's withdrawal of the rejections set forth in the prior Office Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States patent.

Respectfully Submitted,



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Status of the Claims

1. (Currently Amended) A certificate system connectable to a client terminal and to a seller terminal across on a network, comprising:

5 a certificate authority connected to said network, said certificate authority adapted to allow the definition of a virtual certificate through said seller terminal across said network, said virtual certificate comprising corresponding to a redemption-denomination commodity having a value and a first public identifier, wherein said ~~redemption-denomination~~ commodity corresponds to any of a product, a service, a coupon, and a reservation, said ~~redemption-denomination defined commodity selected~~ by ~~an issuer-user~~ a seller at said seller terminal in communication with said certificate authority across said network, said issuer user seller associated with a redemption location, and wherein said first public identifier is defined by said certificate authority;

15 a certificate issuance module for creation of an issued certificate upon selectable acquisition of said virtual certificate by an acquirer user at said client terminal across said network, for receipt of external payment information sent by said acquirer user from said client terminal, and for transmission of information associated with said issued certificate to a holder, said holder comprising any of said acquirer user and an alternate recipient specified by said acquirer user, wherein said issued certificate ~~comprising~~ comprises said redemption denomination and said first public identifier, said creation of said issued certificate associated with a private identifier which is assigned at time of said acquisition of said virtual certificate, wherein said private identifier does not appear on said issued certificate, and wherein said redemption denomination, said first public identifier, and said assigned private identifier are stored at said certificate authority in association with said issued certificate;

25 a certificate authentication module for authorization of an off-line redemption of said issued certificate at said redemption location to a said holder of said issued certificate ~~located at said redemption location~~, said holder comprising any of said acquirer user and ~~an~~ said alternate recipient of said issued certificate to whom said acquirer user has communicated said private identifier, said authorization based upon a communication from said redemption location to said certificate authority of said redemption denomination and said first public identifier from said issued certificate, a communication of said private identifier provided by said holder, and a matching comparison of said redemption denomination, said first public identifier, and said private identifier stored at said certificate authority; and

35 means to cancel further redemption of said issued certificate at said certificate authority.

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2. (Previously Presented) The certificate system of Claim 1, wherein said defined virtual certificate further comprises a second public identifier defined by said issuer user, wherein said second public identifier is stored at said certificate authority, and wherein said authentication module requires a submittal of said second public identifier, and a matching comparison to said second public identifier stored at said certificate authority.

3. (Currently Amended) The certificate system of Claim 1, wherein said external payment information sent from said acquirer user to said certificate issuance module ~~requires the submittal of~~ comprises a payment agent external to said system by said acquirer user.

4. (Currently Amended) The certificate system of Claim 3, wherein said ~~required submittal of said payment agent external to said system for said acquirer user~~ comprises an authorization to transfer funds from said payment agent for said acquirer upon creation of said issued certificate.

5. (Currently Amended) The certificate system of Claim 3, wherein said ~~required submittal of said payment agent external to said system for said acquirer user~~ comprises an authorization to transfer funds from said payment agent for said acquirer upon redemption of said issued certificate.

6. (Previously Presented) The certificate system of Claim 1, wherein said certificate issuance module comprises means to deliver said redemption denomination, said first public identifier, and said assigned private identifier to said acquirer user.

7. (Previously Presented) The certificate system of Claim 6, wherein said means to deliver said redemption denomination and said first public identifier to said acquirer user comprises a printed form of said issued certificate.

8. (Previously Presented) The certificate system of Claim 6, wherein said means to deliver said redemption denomination and said first key identifier to said acquirer user comprises an electronic form of said issued certificate.

9. (Original) The certificate system of Claim 1, wherein said holder of said issued certificate is said acquirer user.

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10. (Previously Presented) The certificate system of Claim 1, wherein said holder of said issued certificate is said alternate recipient who submits said private identifier.

5 11. (Previously Presented) The certificate system of Claim 1, wherein said assigned private identifier is entered by said acquirer user during said selectable acquisition of said virtual certificate.

10 12. (Previously Presented) The certificate system of Claim 11, wherein said entered, assigned private identifier is uniquely associated with a single acquired issued certificate.

13. (Previously Presented) The certificate system of Claim 11, wherein said entered, assigned private identifier is a private purchase identifier unique to said acquirer user.

15 14. (Previously Presented) The certificate system of Claim 11, wherein said entered, assigned private identifier is a private acquirer facility access identifier unique to said acquirer user.

20 15. (Previously Presented) The certificate system of Claim 1, wherein said assigned private identifier is established by said certificate authority during said selectable acquisition of said virtual certificate.

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16. (Currently Amended) A process within a transaction network connectable to a client terminal and to a seller terminal, comprising the steps of:

defining a virtual certificate on a certificate authority through said seller terminal across said network, said defined virtual certificate comprising a redemption denomination corresponding to a commodity having a value and a first public identifier, wherein said ~~redemption denomination~~ commodity corresponds to any of a product, a service, a coupon, and a reservation, said ~~redemption denomination defined~~ commodity selected by an ~~issuer user~~ a seller at said seller terminal in communication with said certificate authority across said transaction network, said ~~issuer user~~ seller associated with a redemption location, and wherein said first public identifier is defined by said certificate authority;

creating an issued certificate upon acquisition of said virtual certificate by an acquirer user at said client terminal across ~~on~~ said transaction network, upon receipt of external payment information sent by said acquirer user from said client terminal, and for transmission of information associated with said issued certificate to a holder, said holder comprising any of said acquirer user and an alternate recipient specified by said acquirer user, wherein said issued certificate comprising indicates said redemption denomination commodity selected by said seller and said first public identifier, said creation of said issued certificate associated with an establishment of a private identifier which does not appear on said issued certificate, said ~~redemption denomination~~ indicated commodity, said first public identifier, and said established private identifier stored at said certificate authority in association with said issued certificate;

authorizing an off-line redemption of said issued certificate at a redemption location to a said holder of said issued certificate, said holder comprising any of said acquirer user and ~~a said~~ an alternate recipient of said issued certificate to whom said acquirer user has communicated said private identifier, wherein said authorization is based upon redemption submittal at said redemption location of said ~~redemption denomination~~ indicated commodity and said first public identifier from said issued certificate, a communication of said private identifier provided by said holder, and a matching comparison of said ~~redemption denomination~~ indicated commodity, said first public identifier, and said private identifier stored at said certificate authority; and

canceling further redemption of said issued certificate at said certificate authority.

17. (Previously Presented) The process of Claim 16, wherein said step of defining said virtual certificate, wherein said defined virtual certificate comprises a second public identifier defined by said issuer user, wherein said step of creating said issued certificate includes the storage of said second public identifier at said certificate authority, and wherein said step of

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authorizing said redemption of said issued certificate comprises a submittal of said second public identifier, and a matching comparison to said second public identifier stored at said certificate authority.

- 5 18. (Currently Amended) The process of Claim 16, wherein ~~said step of creation of said issued certificate~~ external payment information sent from said acquirer user comprises the ~~submittal of a payment agent external to said system by said acquirer user.~~
- 10 19. (Currently Amended) The process of Claim 18, wherein ~~said submittal of said payment agent external to said system for said acquirer user~~ comprises an authorization to transfer funds from said payment agent for said acquirer during said step of creation of said issued certificate.
- 15 20. (Currently Amended) The process of Claim 18, wherein ~~said submittal of said payment agent external to said system for said acquirer user~~ comprises an authorization to transfer funds from said payment agent for said acquirer during said step of redemption of said issued certificate.
- 20 21. (Previously Presented) The process of Claim 16, wherein said step of creation of said issued certificate comprises a delivery of said redemption denomination and said first public identifier to said acquirer user.
- 25 22. (Previously Presented) The process of Claim 21, wherein said delivered redemption denomination and said first public identifier are included in a printed form of said issued certificate.
- 30 23. (Previously Presented) The process of Claim 21, wherein said delivered redemption denomination and said first public identifier are included in an electronic form of said issued certificate.
- 35 24. (Original) The process of Claim 16, wherein within said authorizing step, said holder of said issued certificate is said acquirer user.
25. (Previously Presented) The process of Claim 16, wherein within said authorizing step, said holder of said issued certificate is said alternate recipient.

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26. (Previously Presented) The process of Claim 16, wherein said established private identifier is entered by said acquirer user.

5 27. (Previously Presented) The process of Claim 26, wherein said entered established private identifier is uniquely associated with a single acquired issued certificate.

28. (Previously Presented) The process of Claim 26, wherein said entered established private identifier is a private purchase identifier that is unique to said acquirer user.

10 29. (Previously Presented) The process of Claim 26, wherein said entered established private identifier is a private acquirer facility access identifier that is unique to said acquirer user.

15 30. (Previously Presented) The process of Claim 16, wherein said established private identifier is established by said certificate authority and communicated to said acquirer.